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REMARKS

This amendment is in response to the Examiner's Office Action dated 7/13/2004. This amendment and the accompanying affidavits under 37 CFR 1.131 executed by each inventor should obviate outstanding issues and make the pending claims allowable. Reconsideration of this application is respectfully requested in view of the foregoing amendment and the remarks that follow.

STATUS OF CLAIMS

Claims 1, 2, 5, 7, 9-12, 14, 15, 18, and 19 are pending.

Claims 1-2, 5, 7, 9-12, 14-15, and 18-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dustin et al. (USP 6,496,857).

OVERVIEW OF CLAIMED INVENTION

A system and method for improving the effectiveness of web advertising by allowing a user to return and request a previously displayed advertisement that appeals to the user. Generally, the system employs an intelligent browser cache maintained within a user's terminal to keep web pages in cache and maintains information about hyperlinks contained therein. Furthermore, the system allows for storing advertisements in a bookmark memory without clicking on the ads. The bookmark memory is either permanently maintained or temporarily stored for a predetermined period of time in the user's terminal to allow the user the ability to view stored ads at a later time. The system further includes an algorithm for computing the differences between previously viewed pages stored in the intelligent browser cache and a new page (currently viewed page) in terms of their hyperlinks. Presented to the user, in separate

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windows, are ads from both new and previously viewed (old) pages to aid the user in deciding whether to click and visit a different page or to save the displayed page for later use. Finally, the system permits the user to request ads previously displayed at a particular position by pointing (with a mouse) to the current ad at such a location.

REJECTIONS UNDER U.S.C. §103(a)

An affidavit under 37 CFR 1.131 executed by each inventor is provided along with this amendment. The affidavit, along with the disclosure material provided as Exhibit A, establishes that the invention as claimed was conceived prior to February 8, 2000 and was coupled with due diligence from prior to February 8, 2000 to the filing of the patent application.

Based upon the facts established by the accompanying affidavit, applicants respectfully request the Examiner to withdraw all rejections where the cited patent to Dustin et al. entitled, "Delivering Targeted, Enhanced Advertisements Across Electronic Networks" (also referred to as the Dustin reference), is used. Specifically, rejections to claims 1-2, 5, 7, 9-12, 14-15, and 18-19 are requested to be withdrawn as their rejection depends on the Dustin reference.

It should, however, be noted that the request to withdraw the rejections regarding claims 1-2, 5, 7, 9-12, 14-15, and 18-19 does not indicate that the applicants acquiesce with the arguments put forth by the Examiner. For example, applicants contend that the Dustin reference fails to provide many of the limitations of the claimed subject matter, some of which are listed below:

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(1) Dustin explicitly or implicitly fails to provide for the specific limitation of calculating the differences between a new webpage and a previously viewed webpage in terms of associated hyperlinks, wherein ads associated with the new webpage and the previously viewed webpage are displayed at a remote terminal;

(2) Dustin explicitly or implicitly fails to provide for the specific limitation of a bookmark memory storing received ads, wherein the bookmark memory is either permanently maintained or temporarily kept for a predetermined amount of time;

(3) Dustin explicitly or implicitly fails to provide for the specific limitation of displaying ads from the new page and the previously viewed webpage in one or more windows separate from a window displaying the revisited webpage; and

(4) Dustin explicitly or implicitly fails to provide for the specific limitation of retrieving and displaying previous position specific ads upon receiving a selection of a corresponding position of advertising in the revisited webpage.

Hence, in view of the enclosed affidavit under 37 C.F.R. 1.131 and the arguments presented above, applicants respectfully request the examiner to withdraw the rejections to claims 1-2, 5, 7, 9-12, 14-15, and 18-19.

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SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this amendment has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 12-0010.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,

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